

## **REMARKS**

Reconsideration of the present application, as amended, is respectfully requested. Claims 1, 3, 37-39, 41-50, 63-67 and 77 have been amended. Claims 2, 40 and 78 are cancelled without prejudice. No new claims have been added. Thus, claims 1, 3-39, 41-77, 79-82 are presented for reconsideration.

### **Rejections under 35 U.S.C. § 112, second paragraph**

Claims 37-38 stand rejected under 35 U.S.C. § 112, second paragraph for providing insufficient antecedent basis for the phrase 'said digital objects'. Applicant respectfully submits that claims 37 and 38, as amended, satisfy the requirements of 35 U.S.C § 112, second paragraph and respectfully requests the withdrawal of the rejection of the claims under § 112.

### **Rejections under 35 U.S.C. § 102(e)**

Examiner rejected claims 1-19, 21, 24, 28-62, 64, 66, and 69-82 as being anticipated by U.S. Patent No. 6,341,316 to Kloba et al. Applicant respectfully submits that Applicant's invention as claimed in claims 1-19, 21, 24, 28-62, 64, 66, and 69-82 is not anticipated by Kloba.

Kloba discloses enabling web content and other objects to be loaded on mobile devices, such that users of mobile devices can operate with the web content on their mobile devices in an interactive manner while in an off-line mode. Data is encoded in a data format called Already Been Chewed (ABC) and sent to the device. ABC format creates a tokenized codification of HTML pages by mapping parent and child HTML

elements and/or resources of the web page to alphanumeric values. The device receives the ABC and presents the material. Kloba discloses capturing content and storing it on a client to subsequently allow the user to view the content on the device offline. (Kloba, col. 13, lines 65-67). For certain data, which is periodically updated, instead of sending all of the data, Kloba compares the newly downloaded data with data already in the client device's cache, and only the changes are transmitted to the device. (Kloba, col. 14, line 64 to col. 15, line 2) Kloba does not teach or suggest caching a transformed data set on the server. Rather, in Kloba's system, the data about to be sent is compared with what is already cached on the device itself. Thus, the term "cache" is not a server cache for storing transformed data, but rather a client cache storing, on the client device, what data has already been sent to the client device.

#### Claims 1-19, 21, 24, 28-38

Claim 1, as amended, recites:

In an online system, a method for determining the capabilities of client devices and supplying media content in a format suitable for such devices, the method comprising:  
    receiving a request to provide a target device with a copy of a particular media object;  
    determining capabilities of the target device;  
    based on the capabilities of the target device, determining a format that is desired for providing the target device with a copy of the media object;  
    translating the particular media object into a copy having said determined format;  
    providing the target device with the copy having said determined format; and  
    storing the copy having said determined format in a server cache.

(Emphasis Added). Kloba does not teach or suggest storing the transformed objects in the server cache. In fact, Kloba does not teach or suggest a server cache at

all. Accordingly, independent claim 1 and its dependent claims 2-19, 21, 24, 28-38 are not anticipated by Kloba.

Claims 39-62, 64, 66, and 69-71

Claim 39, as amended, recites:

An online system for providing digital media to target devices, the system comprising:  
a capabilities module for determining the capabilities of a particular target device;  
a transformation module for:  
automatically retrieving a copy of a particular digital media object;  
providing the target device with a copy of said object, said copy being automatically translated into a particular format based on the capabilities of the target device; and  
storing the copy of said translated object in a server cache.

(Emphasis Added). As discussed above, Kloba does not teach or suggest storing the copy of the translated object in a server cache. Accordingly, independent claim 39 and its dependent claims 40 -62, 64, 66, and 69 - 71 are not anticipated by Kloba.

Claims 77-82

Claim 77, as amended, recites:

In an online system, a method for determining the capabilities of client devices, the method comprising:  
receiving an original request from a target device in which said target device does not include information regarding its capabilities;  
determining capabilities of the target device by examining the request submitted by the device;  
supplementing said original request received from said target device with information about the capabilities of said target device; and  
forwarding said supplemented request to a destination specified in said original request.

(Emphasis added). Kloba discusses a client sending updated information including a request in box 306 and the server interacting with the client to determine the state of the client's resources. (Also, see Kloba, col. 21, lines 3-18). Thus, Kloba discloses determining capabilities of the target device by interacting with the device, not by examining the request submitted by the device.

The Examiner suggests that Kloba's col. 5, lines 14-17 teach or suggest this element. However, the referenced portion of Kloba simply notes that the system determines the nature and resources of the mobile device. Kloba does not teach or suggest that this determination is made based on examining the request submitted by the device. Rather, as Kloba describes at col. 21, lines 3-18, the determination of the client's status is made based on "state information regarding the nature of the client's resources" which is obtained by the server. Thus, Kloba does not determine client capabilities of the target device by examining the request submitted by the device.

Accordingly, independent claim 77 and its dependent claims 78-82 are not anticipated by Kloba.

#### **Rejections under 35 U.S.C. § 103(a)**

Examiner rejected claims 20, 22-23, 25-27, 63, 65, and 67-68 under 35 U.S.C. §103(a) as being unpatentable over Kloba in view of U.S. Patent Publication No. 2002/0016818 to Kirani et al.

Applicant respectfully submits that Kirani is not properly considered prior art to the present invention under 35 U.S.C. 103(c). Kirani is only prior art under 35 U.S.C. 102(e), and the subject matter and the claimed invention were, at the time the claimed

invention was made, under an obligation of assignment to the same person or entity. This is demonstrated by the Assignment of record in the Kirani case, as well as in the claimed invention. Therefore, Applicants respectfully submit that the 103(a) rejection over Kloba in view of Kirani should be withdrawn.

### CONCLUSION

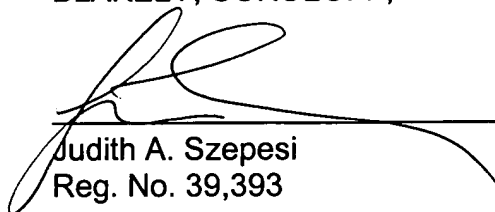
Applicant respectfully submits that in view of the amendments and discussion set forth herein, the applicable rejections have been overcome. Accordingly, the present and amended claims should be found to be in condition for allowance.

If a telephone interview would expedite the prosecution of this application, the Examiner is invited to contact Judith Szepesi at (408) 720-8300.

If there are any additional charges/credits, please charge/credit our deposit account no. 02-2666.

Respectfully submitted,  
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Dated: 5/2/05

  
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